

(40 U.S.C. 601 et seq.)", meaning Pub. L. 86-249. For complete classification of this Act to the Code, see Short Title note set out under section 601 of this title and Tables.

CODIFICATION

Section was enacted as part of the Public Buildings Amendments of 1972, and not as part of the Public Buildings Act of 1959 which comprises this chapter.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-437 substituted "Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives" for "Committees on Public Works of the Senate and House of Representatives".

CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

EFFECTIVE DATE

Section effective June 16, 1972, see section 11 of Pub. L. 92-313, set out as an Effective Date of 1972 Amendment note under section 603 of this title.

ISSUANCE OF REGULATIONS PURSUANT TO PUBLIC BUILDINGS AMENDMENTS OF 1972; APPROVAL OF RATES FOR SPACE AND SERVICES FURNISHED

Administrator to issue and coordinate regulations with Office of Management and Budget and Director of such Office to approve rates for space and services furnished, see section 7 of Pub. L. 92-313, set out as a note under section 603 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 490i of this title.

§ 603. Alteration of buildings; acquisition of land; exemption from committee approval

(a) The Administrator is authorized to alter any public building, and to acquire in accordance with section 604 of this title such land as may be necessary to carry out such alteration.

(b) No approval under section 606 of this title shall be required for any alteration and acquisition authorized by this section the estimated maximum cost of which does not exceed \$1,500,000.

(Pub. L. 86-249, § 4, Sept. 9, 1959, 73 Stat. 479; Pub. L. 92-313, § 2(1), June 16, 1972, 86 Stat. 216; Pub. L. 100-678, § 2, Nov. 17, 1988, 102 Stat. 4049.)

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-678 substituted "\$1,500,000" for "\$500,000".

1972—Subsec. (b). Pub. L. 92-313 substituted "\$500,000" for "\$200,000".

EFFECTIVE DATE OF 1972 AMENDMENT

Section 11 of Pub. L. 92-313 provided that: "This Act [see Short Title of 1972 Amendment note set out under section 601 of this title] shall become effective upon enactment [June 16, 1972]. The effective date of applying the rates to be charged pursuant to the regulations to be issued under subsections (j) and (k) of section 210 of the Federal Property and Administrative Services Act of 1949, as amended [section 490(j) and (k) of this title], shall be as determined by the Administrator of General Services but in any event shall not be later than the

beginning of the third full fiscal year subsequent to the enactment thereof."

ISSUANCE OF REGULATIONS PURSUANT TO PUBLIC BUILDINGS AMENDMENTS OF 1972; APPROVAL OF RATES FOR SPACE AND SERVICES FURNISHED

Section 7 of Pub. L. 92-313 provided that: "To carry out the provisions of the Public Buildings Amendments of 1972 [see Short Title of 1972 Amendment note set out under section 601 of this title], the Administrator of General Services shall issue such regulations as he deems necessary. Such regulations shall be coordinated with the Office of Management and Budget, and the rates established by the Administrator of General Services pursuant to sections 210(j) and 210(k) of the Federal Property and Administrative Services Act of 1949, as amended [section 490(j) and (k) of this title], shall be approved by the Director of the Office of Management and Budget."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 606, 614 of this title.

§ 604. Sites

(a) Acquisition of lands or interests therein

The Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, such lands or interests in lands as he deems necessary for use as sites, or additions to sites, for public buildings authorized to be constructed or altered under this chapter.

(b) Public buildings used in whole or in part for post office purposes; cooperation between Administrator and Postal Service

Whenever a public building is to be used in whole or in part for post office purposes, the Administrator shall act jointly with the United States Postal Service in selecting the town or city wherein such building is to be constructed, and in selecting the site in such town or city for such building.

(c) Solicitation of proposals for sale, donation, or exchange of real property; selection of site most advantageous to United States

Whenever the Administrator is to acquire a site under this section, he may, if he deems it necessary, solicit by public advertisement, proposals for the sale, donation, or exchange of real property to the United States to be used as such site. In selecting a site under this section the Administrator (with the concurrence of the United States Postal Service if the public building to be constructed thereon is to be used in whole or in part for post office purposes) is authorized to select such site as in his estimation is the most advantageous to the United States, all factors considered, and to acquire such site without regard to title III of the Federal Property and Administrative Services Act of 1949, as amended [41 U.S.C. 251 et seq.].

(Pub. L. 86-249, § 5, Sept. 9, 1959, 73 Stat. 479; Pub. L. 91-375, § 4(a), Aug. 12, 1970, 84 Stat. 773.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in subsec. (c), is act June 30, 1949, ch. 288, 63 Stat. 393, as amended. Title III of the Federal Property and Administrative Services Act of 1949 is classified generally to subchapter IV (§ 251 et seq.) of chapter 4 of Title 41, Public Contracts. For

completed classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

TRANSFER OF FUNCTIONS

In subsecs. (b) and (c), “United States Postal Service” substituted for “Postmaster General” pursuant to Pub. L. 91-375, §4(a), Aug. 12, 1970, 84 Stat. 773, set out as a note under section 201 of Title 39, Postal Service, which abolished office of Postmaster General of Post Office Department and transferred its functions to United States Postal Service.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 603 of this title.

§ 605. Construction of new buildings

(a) Replacement of existing buildings; demolition, exchange or sale

Whenever the Administrator deems it to be in the best interest of the United States to construct a new public building to take the place of an existing public building, he is authorized to demolish the existing building and to use the site on which it is located for the site of the proposed public building, or, if in his judgment it is more advantageous to construct such public building on a different site in the same city, he is authorized to exchange such building and site, or such site, for another site, or to sell such building and site in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.].

(b) Sale or exchange of sites

Whenever the Administrator determines that a site acquired for the construction of a public building is not suitable for that purpose, he is authorized to exchange such site for another, or to sell it in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.].

(c) Committee approval as condition precedent to use of land as site for building

Nothing in this section shall be deemed to permit the Administrator to use any land as a site for a public building if such project has not been approved in accordance with section 606 of this title.

(Pub. L. 86-249, §6, Sept. 9, 1959, 73 Stat. 479.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in subsecs. (a) and (b), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that act relating to disposal of government property are classified to chapter 10 (§471 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

CROSS REFERENCES

Design and construction of public buildings to accommodate the physically handicapped, see section 4151 et seq. of Title 42, The Public Health and Welfare.

§ 606. Approval of proposed projects by Congress

(a) Limitation of funds; transmission to Congress of prospectus of proposed project

In order to insure the equitable distribution of public buildings throughout the United States

with due regard for the comparative urgency of need for such buildings, except as provided in section 603 of this title, no appropriation shall be made to construct, alter, purchase, or to acquire any building to be used as a public building which involves a total expenditure in excess of \$1,500,000 if such construction, alteration, purchase, or acquisition has not been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives. No appropriations shall be made to lease any space at an average annual rental in excess of \$1,500,000 for use for public purposes if such lease has not been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives. No appropriation shall be made to alter any building, or part thereof, which is under lease by the United States for use for a public purpose if the cost of such alteration would exceed \$750,000 unless such alteration has been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives. For the purpose of securing consideration for such approval, the Administrator shall transmit to the Congress a prospectus of the proposed facility, including (but not limited to)—

(1) a brief description of the building to be constructed, altered, purchased, acquired, or the space to be leased under this chapter;

(2) the location of the building or space to be leased and an estimate of the maximum cost to the United States of the facility to be constructed, altered, purchased, acquired, or the space to be leased;

(3) a comprehensive plan for providing space for all Government officers and employees in the locality of the proposed facility or the space to be leased, having due regard for suitable space which may continue to be available in existing Government-owned or occupied buildings, especially such of those buildings as enhance the architectural, historical, social, cultural, and economic environment of the locality;

(4) with respect to any project for the construction, alteration, purchase, or acquisition of any building, a statement by the Administrator that suitable space owned by the Government is not available and that suitable rental space is not available at a price commensurate with that to be afforded through the proposed action;

(5) a statement by the Administrator of the economic and other justifications for not acquiring or purchasing a building or buildings identified to the Administrator pursuant to section 611(c) of this title as suitable for the public building needs of the Federal Government; and

(6) a statement of rents and other housing costs currently being paid by the Government for Federal agencies to be housed in the building to be constructed, altered, purchased, acquired, or the space to be leased.